

UNITED STATES DISTRICT COURT

District of Massachusetts

RICH REINISCH, Derivatively on
Behalf of BIOPURE CORPORATION,
Plaintiff,

V.

THOMAS A. MOORE, CARL W. RAUSCH,
DAVID N. JUDELSON, CHARLES A.
SANDERS, M.D., C. EVERETT KOOP.
M.D., DANIEL P. HARRINGTON and
J. RICHARD CROUT, M.D.,

Defendants,

and
BIOPURE CORPORATION, a Delaware
Corporation,

Nominal Defendant

TO: (Name and address of Defendant)

C. EVERETT KOOP, M.D.
3 Ivy Pointe Way
Hanover, NH 03755

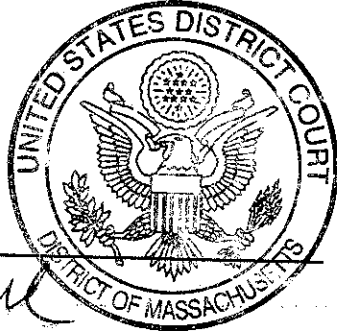
SUMMONS IN A CIVIL ACTION

04 10215 NG
CASE NUMBER:

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Mary T. Sullivan
SEGAL ROITMAN & COLEMAN
11 Beacon Street, Suite 500
Boston, MA 02108
617/742-0208

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



TONY ANASTAS

CLERK

[Signature]

(By) DEPUTY CLERK

JAN 29 2004

DATE

Attorney or Party without Attorney: Brian J. Robbins, Esq., Bar #190264 Robbins Umeda & Fink, LLP 1010 Second Avenue, Suite 2360 San Diego, CA 92101 Telephone No: (619) 525-3990 FAX No: (619) 525-3991			For Court Use Only	
Attorney for: Plaintiff				
Insert name of Court, and Judicial District and Branch Court: United States District Court - District Of Massachusetts				
Plaintiff: Rich Reinisch, et al.			Case Number:	
Defendant: Thomas A. Moore, et al.			0410215NG	
AFFIDAVIT OF SERVICE		Hearing Date:	Time:	Dept/Div:
				Ref. No. or File No.:

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the Summons In A Civil Action; Complaint; Civil Cover Sheet

3. a. Party served: C. Everett Koop, M.D.
 b. Person served: party in item 3.a.

4. Address where the party was served: 3 Ivy Pointe Way
 Hanover, NH 03755

5. I served the party:

b. by substituted service. On: Thu., Feb. 12, 2004 at: 02:50PM I left the documents listed in item 2 with or in the presence of:
 Millie Cole, Occupant

(2) (Home) Competent Member of the Household over 18. I informed him or her of the general nature of the papers.

(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., 415.20). I mailed the document on: Thu., Feb. 12, 2004 from: West Labanon, NH 03784

7. Person Who Served Papers:

a. Edwin Smith



1st Nationwide Legal Services
 501 12th Street
 Sacramento CA, 95814

Voice: 916.449.8990
 FAX: 916.449.8991

Fee for Service:

I Declare under penalty of perjury under the laws of the State of Massachusetts that the foregoing is true and correct.

Edwin A. Smith
 (signature)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.
 My Commission Expires

KELLY R. SPILLER, Notary Public
 My Commission Expires March 6, 2007

Judicial Council form POS-010
 (Rev January 1, 2004)

AFFIDAVIT OF SERVICE

Kelly R. Spiller
 (Notary Public)

brrob.11723